

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.

ACTION AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY CITY OF HUNTINGTON BEACH

TUESDAY, JANUARY 21, 2003

5:00 P.M. - Room B-8
7:00 P.M. - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

5:00 5:05 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Coerper, Green, Boardman, Cook, Houchen, Hardy (Councilmember Sullivan has requested to be absent from the meeting pursuant to City Council Resolution No. 2001-54.)

Present (Coerper arrived 5:26 p.m.; Green arrived 5:25 p.m.; Sullivan absent)

Public Comments Regarding 5:00 P.M. Portion of Council Meeting (Study Session) and Closed Session Agenda Items

None

1. (City Council) Study Session on the Community Services Department Update on the Huntington Central Park Sports Complex Concessions (.)

The Department of Community Services will provide a progress update regarding the sports concessions currently planned for Phase II of the Central Park Sports Complex.

****Communication from the Community Services Department titled *Central Park Sports Complex Phase II* is included in the agenda packet.**

Reports presented by Community Services Director, Special Projects Manager and NUVIS consultant – Return to Council February or March, 2003 with proforma/deal points.

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS**

<http://www.ci.huntington-beach.ca.us>

2. **(City Council) Study Session on the Public Works Department Update on the Santa Ana River Crossings (SARX) Study** (.)

The Director of Public Works and the Transportation Manager will provide a status update of the Santa Ana River Crossings Study.

Announced Late Communication & PowerPoint presented by Public Works Director of options for Council – Return to Council Feb. 3, 2003 re: issues on reserve status.

Call Closed Session of City Council/Redevelopment Agency
Approved 6-0-1 (Sullivan absent)

Recommended Action: Motion to recess to Closed Session on the following items:

1. **(City Council) Closed Session** – Pursuant to Government Code Section 54957.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; and Jim Engle, Director of Community Services, regarding **labor relations matters – meet and confer** with the following employee organization: **SCLEA**. Subject: **Labor Relations – Meet & Confer**. (120.80)

2. **(City Council) Closed Session** – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation, which has been initiated formally and to which the agency is a party. The title of the litigation is **Citizens Against Redevelopment Excess v. City of Huntington Beach, et al. [CARE II]**, California Court of Appeal, Fourth Appellate District, Division Three, Case No. G030388; and **Citizens Against Redevelopment Excess v. City of Huntington Beach, et al. [CARE III]**, Orange County Superior Court Case No. 02CC00344. (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled.

When an Agenda Item requires action by any of these Agencies, it will show in parenthesis preceding the item, for example (City Council-Redevelopment Agency).

7:00 P.M. - Council Chambers

Reconvene City Council/Redevelopment Agency Meeting

- ** The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**

No report

Roll Call Coerper, Green, Boardman, Cook, Houchen, Hardy (Councilmember Sullivan has requested to be absent from the meeting pursuant to City Council Resolution No. 2001-54.)

Present – Sullivan absent

Pledge of Allegiance and Flag Salute – American Legion HB Post 133 – Michael Johnson, Commander.

Pursuant to the Brown Act (Open Meetings Act) the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda

As required by the Brown Act **(1)** Copies of late communications submitted by City Councilmembers or City Departments are available for the public at the City Clerk's desk. As required by the Brown Act **(2)** Late communications submitted by members of the public will be made available to the public at the City Clerk's Office the morning after the Council meeting.

Study Session #2, C-3, H-1a.

Presentation – By Mayor Connie Boardman and Dan Moss, Principal, Hope View Elementary School, to D.A.R.E. Police Officer Bruce Bradley, recognition for his 11 years of service to Hope View School as a D.A.R.E. Officer. Recognition also to D.A.R.E. Officers Dave Humphreys, Ed Kennedy and Bobby Frahm for their four years of service to schools in Huntington Beach.

Video presented by Hope View School students to honor Officer Bradley.

Presentation - To Mayor Connie Boardman by Carmen Erber, President, Sister City Association, of the Certificate of Reaffirmation of Sister City Covenant between Anjo, Japan and Huntington Beach, United States of America. This Covenant was signed on July 5, 2002 by former Huntington Beach Mayor Debbie Cook and Masayuki Sugiura, Mayor of the City of Anjo.

Ms. Erber announced Cherry trees donated to the city by Anjo, Japan.

Mayor's Award – By Mayor Connie Boardman to Cathy Cosgrove, Claims Examiner, Senior, Administrative Services Department.

Administrative Services Director Clay Martin co-presented. Mayor's Award to Ms. Cosgrove for her outstanding, hard work in Workers' Compensation.

B. PUBLIC COMMENTS

Hello and welcome to the Huntington Beach City Council meeting.

If you would like to address the Council please fill out the pink public comment sheet attached to this agenda. After completing the form, hand it to the Sergeant at Arms and he will give it to the City Clerk. Council members strive to treat members of the public with respect and we ask that you also express your concerns and opinions in a civil and respectful manner.

Due to the Brown (Open Meeting) Act, the City Council may not discuss items unless they are on our agenda. So if you are speaking on an item not on the agenda, we cannot discuss the issue with you at this meeting. However, if you wish to meet with any of us please call the Council's Secretary at 714-536-5553. Thank you for taking the time to come to the council meeting to address the council.

This is the time to address Council regarding items of interest or on agenda items OTHER than Public Hearings.

3 minutes per person, time may not be donated to others.

No action can be taken by Council/Agency on this date unless agendaized.

Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium

1. ***Speaker in support of H-1a expressing his appreciation of the D.A.R.E. agenda item and in honor of Officer Bruce Bradley.***
2. ***Speaker regarding item G-1a, and in favor of the repeal to uphold intent of legislation.***
3. ***Speakers requesting tree removal on Nantucket Drive, stating the overgrown trees cause many health and safety problems due to cracked sidewalks and children using sidewalks to skateboard & bicycle instead of streets.***

Mayor asked speaker to submit a follow up card to the Sergeant-at-Arms and also informed of the Beautification & Landscape Tree (BLT) Committee.

4. ***Speakers informed Council of a petition signed in opposition to the wall proposed to be built in their neighborhood for soccer use at the Hope View School and the adjoining park area for reasons including effect on neighborhood and safety issues for children.***
5. ***Speaker submitted photographs to Council of trees on Nantucket Drive, and offered recommendations to trim trees as the first phase in mitigating the problem.***
6. ***Speaker offered a prayer due to the absence of the Invocation.***

Public Comments (continued)

7. **Speaker read 1st Amendment and the freedom of speech and spoke in favor of invocations at Council meeting.**

Mayor requested speakers to leave contact info with the Sergeant-at-Arms.

8. **Speakers in opposition to Ord. No. 3600 introduced 1/6/03 to reduce number of Planning Commission regular meetings from twice to once a month.**
9. **Speakers spoke regarding the need to comply with the Brown Act when adding items to the agenda without 72 hours notice and in opposition to Ordinance No. 3600.**

C-1. Council Committee/Council Liaison Reports
None

1. **Per Govt. Code 5.54954.2 (b) (2) the Mayor announced the need to reconsider Ord. No. 3600 Planning Commission Bylaws and take action on non-agendized item.**
Approved 6-0-1 (Sullivan absent)
2. **Motion to add item (proposed Ord. No. 3600 Planning Commission Bylaws) to agenda per G.C. Section.**
Failed 2-4-1 (Coerper, Cook, Houchen, Hardy No; Sullivan absent)

C-1a. (City Council) Announcement by Councilmember Gil Coerper of Individual Appointment of Junior ("Joe") Domingo to the Finance Board (.)

Councilmember Gil Coerper will announce his individual appointment of Junior ("Joe") Domingo to the Finance Board.

Recommended Action: Motion to:

Direct the City Clerk to make record in the minutes to reflect the appointment by Councilmember Gil Coerper of Junior ("Joe") Domingo to the Finance Board.

Approved 6-0-1 (Sullivan absent)

C-1b. (City Council) Announcement by Councilmember Jill Hardy of Individual Appointments of: 1.) Charles Falzon to the Finance Board and 2.) Richard Hart to the Public Works Commission (110.20)

Councilmember Jill Hardy will announce her individual Board and Commission appointments as follows:

Recommended Action: Motion to:

Direct the City Clerk to make record in the minutes to reflect the appointment by Councilmember Jill Hardy of 1.) Charles Falzon to the Finance Board and 2.) Richard Hart to the Public Works Commission.

Approved 6-0-1 (Sullivan absent)

C-1c. (City Council) Adopt Resolution No. 2003-8 and Letter Urging the California Legislature to Reject the Governor's Proposed Shift of Local Vehicle License Revenues and to Honor the 1998 Commitment to Restore the Vehicle License Fee (.)

Communication from Mayor Connie Boardman requesting Council approval of a resolution and letter urging the California Legislature to reject the Governor's proposed shift of local vehicle license revenues and to honor the 1998 commitment to restore the *Vehicle License Fee*.

Recommended Action: Motion to:

1. Adopt **Resolution 2003-8** "A Resolution of the City of Huntington Beach Urging the California Legislature to Reject the Governor's Proposed Shift of Local Vehicle License Fee Revenues and to Honor the 1998 Commitment to Restore the Vehicle License Fee";

Adopted 6-0-1 (Sullivan absent)

and

2. Approve the draft letter to be sent from the Council to the State legislators urging them to restore the Vehicle License Fee and protect vital city and county public health and safety services.

***City Administrator reported on the history of the 1998 commitment
Approved 6-0-1 (Sullivan absent)***

C-2. City Administrator's Report

C-2a. (City Administrator's Report) Approve Employment Contract Agreement between the City and Janis M. Ingels for Appointment to the Position of Information Services Director (.)

Communication from the City Administrator recommending City Council approval of Janis M. Ingels to the position of Director of Information Services as required by City Charter.

Recommended Action: Motion to:

1. Approve the appointment of Janis Ingels to the position of Director of Information Services;

and

2. Approve and authorize execution by the City Administrator and City Clerk of the *Employment Agreement between the City of Huntington Beach and Janis M. Ingels* for the position of Director of Information Services.

Approved 6-0-1 (Sullivan absent)

C-3. (City Council) Review and Accept Shari Freidenrich, City Treasurer's November 2002 Report Titled *City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity*

(310.20) Communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for November 2002.

Recommended Action: Motion to:

Review and accept the monthly report. Following review of the report, by motion of Council, accept the Monthly Investment Report *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for November 2002*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

***City Treasurer Freidenrich reported (PowerPoint Late Communication)
Approved 6-0-1 (Sullivan absent)***

D. Public Hearings - None

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

Recommended Action: Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. (City Council/Redevelopment Agency) Minutes** - Approve and adopt the minutes of the City Council/Redevelopment Agency regular meeting of November 18, 2002 as written and on file in the Office of the City Clerk. Submitted by the City Clerk.
Approved and Adopted 3-0-1-3 (Coerper, Green, Hardy Abstain; Sullivan Absent)
- E-2. (City Council) Adopt Resolution No. 2003-5 Regarding Access by Means of Fingerprinting Process to Summary Criminal History Information for Employment, Licensing, or Certification Purposes** (.) – Adopt **Resolution No. 2003-5** – “A Resolution of the City Council of the City of Huntington Beach Regarding Access to Summary Criminal History Information” for employment, licensing, or certification purposes. Submitted by the Administrative Services Director. Funding Source: Not applicable.
Adopted 6-0-1 (Sullivan absent)
- E-3. (City Council) Approve the Reappointments of Kristin Stilton and Joan Morris to the Design Review Board to for a Second Term to Expire December 21, 2006** (.) Approve the reappointments of **Kristin Stilton** and **Joan Morris** to the Design Review Board for a second four year term to expire on December 31, 2006. Submitted by Councilmembers Dave Sullivan and Pam Houchen, Council Liaisons to the Design Review Board. Funding Source: Not applicable.
Approved 6-0-1 (Sullivan absent)
- E-4. (City Council) Approve the Services Contract between the City and Turbo Data Systems, Inc. for Parking Citation Processing by the Police Department** (.) -
1. Approve and authorize the Mayor and City Clerk to execute the *Services Contract between the City of Huntington Beach and Turbo Data Systems, Inc. for Citation Processing Services*; and 2. Authorize the Chief of Police to expend up to \$78,500 for citation processing service. Submitted by the City Treasurer and the Police Chief. Funding Source: Parking Enforcement Unit - \$78,500.
Approved 6-0-1 (Sullivan absent)

- E-5. (City Council) Adopt Resolution No. 2003-6 Approving Personnel Commission Rules and Regulations Relating to Disciplinary Grievance Appeal Hearings; Review of Hearing Officer Recommendations; and Procedures for Impasse Hearings (.) – Adopt Resolution No. 2003-6 – “A Resolution of the City Council of the City of Huntington Beach Approving the Rules and Regulations of the Personnel Commission Relating to Disciplinary Grievance Appeal Hearings; Review of Hearing Officer Recommendations on Disciplinary Appeals; and Procedures for Impasse Hearing.” Submitted by the Administrative Services Director. Funding Source: Not applicable.**
Administrative Services Director reported
Approved 6-0-1 (Sullivan absent)
- E-6. (City Council) Accept the Resignation of Linda Kelly and Approve the Appointment of Jan P. Garner to the Personnel Commission for the Remainder of the Term to Expire June 30, 2004 (.) – Accept the resignation of Linda Kelly and approve the appointment of Jan P. Garner to fill the vacancy with a term to expire June 30, 2004. Submitted by Councilmembers Dave Sullivan and Jill Hardy, Council Liaisons to the Personnel Commission. Funding Source: Not applicable.**
Approved 6-0-1 (Sullivan absent)
- E-7. (City Council) Adopt Resolution No. 2003-7 Amending the City’s Classification Plan by Adding, Deleting and Modifying Classifications (.) – Adopt Resolution No. 2003-7 – “A Resolution of the City Council of the City of Huntington Beach to Amend the Classification Plan by Adding, Deleting, and Modifying Classifications and Modifying Compensation in the City Classification Plan.” Submitted by the Administrative Services Director. Funding Source: There is no fiscal impact associated with this item. Funds for these positions are budgeted for fiscal year 2002/03. (Adding Principal Librarian, Senior Services Assistant and Senior Services Transportation Coordinator and deleting Nutrition/Transit Coordinator.)**
Adopted 6-0-1 (Sullivan absent)
- E-8. (City Council) Approve License Agreement between the City and Southern California Edison for Langenbeck Park (Magnolia Street s/o Garfield Avenue) (.) – Approve the License Agreement with Southern California Edison for the use of 8.19 acres of property commonly known as Langenbeck Park, and authorize the Mayor and the City Clerk to execute any and all documents necessary to conclude this transaction. Submitted by the Administrative Services Director and the Community Services Director. Funding Source: The annual payment of \$1,638 is budgeted in the Park Acquisition and Development Fund.**
Approved 6-0-1 (Sullivan absent)

- E-9. **(City Council) Approve Reinstitution of the Huntington Central Park Reservation System (for Control of Park Activities)** (.) – 1. Approve the reinstitution of the reservation system in Huntington Central Park to provide better control of park activities for park users and adjacent residents; and 2. Authorize the appropriation of \$18,900 from the General Fund Unappropriated Fund Balance into Parking/Camping Program, Temporary Salaries Account No. 0045202.52000. Submitted by the Community Services Director. Funding Source: \$18,900 from General Fund Unappropriated Fund Balance into Parking/Camping Program, Temporary Salaries Account. Expenditure offset by \$24,950 in revenue from reservation fees.
Approved 6-0-1 (Sullivan absent)
- E-10. **(City Council/Redevelopment Agency) Approve Listing Agreement between the City and Lee & Associates for Sale of 438 Main Street (Main-Pier Redevelopment Sub Area)** (.) – Authorize the Redevelopment Agency's Executive Director to execute a listing agreement titled *Standard Owner-Agency Agreement for Sale or Lease of Real Property* with Lee & Associates for the marketing and sale of 438 Main Street, and authorize a broker commission of 6% upon successful completion of a sale. Submitted by the Deputy Executive Director and the Administrative Services Director. Funding Source: The sale of 438 Main Street would generate one-time revenues for the Redevelopment Agency, which would then facilitate debt repayment to the General Fund. Any sale commission due to Lee & Associates would be paid from net proceeds of the sale of 438 Main Street.
Approved 6-0-1 (Sullivan absent)
- E-11. **(City Council) Amend Planning Department Budget Appropriating Funds to Cover Professional Services Costs Associated with Processing Mills Land & Water Settlement Agreement for Zoning Entitlements, Engineering Documents, and Environmental Studies** (.) - Amend the Planning Department's budget by appropriating \$300,000 from the Unreserved General Fund, account number 100.31.100.1999, to be distributed to the Professional Services account as prescribed in the Mills Land and Water Settlement Agreement. Submitted by the Planning Department. Funding Source: Unreserved General Fund in the amount of \$300,000.
Approved 6-0-1 (Sullivan absent)
- E-12. **(City Council) Accept Fiscal Year 2002-2003 Department of Justice – Local Law Enforcement Block Grant (LLEBG) Award for the Police Department** (.) – 1. Accept the grant award of \$113,324 from the Department of Justice for funding cycle 2002 – 2003 and appropriate funds; and 2. Authorize the Chief of Police to expend \$125,916 plus any accrued interest on technology within the Police Department. Submitted by the Police Chief. Funding Source: A 10% City match of \$12,592 is required which has been included in the Police Department's 2002-2003 budget, under the Jail Programs account. The grant account business unit will be established.
Approved 6-0-1 (Sullivan absent)

- E-13. (City Council) Approve Final Tract Map No. 15549 of Tentative Tract Map No. 15549 (22.6 Acre Waterfront Residential Subdivision – Mayer Financial, L.P. and PLC/Lyon Waterfront Residential, LLC) w/s Beach Blvd., n/o of PCH**
 (.) **1.** Approve Final Tract Map No. 15549 and accept the offer of dedication, improvements, and bonds pursuant to findings and requirements (ATTACHMENT NO. 1); **AND 2.** Approve the *Subdivision Agreement By and Between the City of Huntington Beach and Mayer Financial, L. P. and PLC/Lyon Waterfront Residential, LLC for Tract No. 15549* and authorize execution by the Mayor and City Clerk. (ATTACHMENT NO. 6) **Attachment No. 1 – Findings for Acceptance of Final Map (1)** Final Tract Map No. 15549 is in conformance with the California Subdivision Map Act, the City of Huntington Beach Subdivision Ordinance and Tentative Tract Map No. 15549 Conditions of Approval, as approved by the City Council.
Requirements; (1.) Acceptance of offer of dedication shall be subject to completion of improvements and requirements shown on the final map. **(2.)** The City Clerk shall file the following bonds with the City Treasurer: (a) Faithful Performance Bond No. B34224613 (Attachment No. 7); (b) Labor and Material Bond No. B34224613 (Attachment No. 7); (c) Monument Bond No. B34224614 (Attachment No. 7). **(3.)** The City Clerk shall affix her signature to the map and release it for recordation by the County of Orange. Submitted by the Planning Director. Funding Source: Not Applicable.
Approved 6-0-1 (Sullivan absent)

F. Administrative Items - None

G. Ordinances

G-1. Ordinance for Adoption

- G-1a. (City Council) Adopt Ordinance No. 3599 Amending the Huntington Beach Municipal Code to Repeal Regulations of Independent Expenditure Campaign Committees** (640.10) **Ordinance No. 3599** - *“An Ordinance of the City of Huntington Beach Repealing Section 2.07.050(b) of the Huntington Beach Municipal Code Regarding the Contribution Limitation to Independent Expenditure Committees Contained in the City of Huntington Beach Campaign Reform Law.”* Submitted by the City Attorney. (Ordinance approved for introduction on 1/6/03.)
Recommended Action: After City Clerk reads by title, adopt **Ordinance No. 3599** by roll call vote.
Adopted 6-0-1 (Sullivan absent)

H. City Council/Redevelopment Agency Items**H-1a. Submitted By Councilmember Pam Houchen****(City Council) Approve Acceptance and Appropriation of Donations For D.A.R.E. Program (.)**

Communication from Councilmember Pam Houchen transmitting the following **Statement of Issue:** At the December 16, 2002 meeting, the City Council voted to not extend funding of the City's D.A.R.E. (Drug Abuse Resistance Education) program for the 2nd semester of the 2002-03 school calendar year. Based on this decision, a group of citizens and City Council Members began a fundraising campaign to continue the D.A.R.E. program during the second semester. To date, I am happy to report that a total of \$21,500 has been raised, with pledges for more.

Based on the interest in this program by the community, I would like to recommend that the City accept these funds, appropriate the dollars accordingly, and design a DARE program based on these funds.

Recommended Action: Motion to:

1. Accept the \$21,500 in donations raised to date and any additional funds raised by the community for the D.A.R.E. program;

and

2. Appropriate all funds raised on behalf of the D.A.R.E. program to the Police Department, Patrol, Regular Overtime Account;

and

3. Authorize the Chief of Police to expend these funds in support of an abbreviated D.A.R.E. Program, consistent with the funds received, during the second semester.

Approved 6-0-1 (Sullivan absent)

Council Comments - (Not Agendized)

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Mayor Boardman requested quiet reflection on Martin Luther King holiday observed on 1/20/03.

Council/Agency Adjournment at 8:14 p.m. to Monday, February 3, 2003 at 5:00 p.m. in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office by Mail and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Annexes on Friday Prior to Meetings. Video Tapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

**CONNIE BROCKWAY, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648**

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